

~~August 19, 2003 CPC~~
September 17, 2003 BS



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

03SN0303

Swift Creek Associates, L.P.

Matoaca Magisterial District
South line of Hull Street Road

REQUEST: Amendment to Conditional Use Planned Development (Case 87S134) relative to signage.

PROPOSED LAND USE:

This amendment will permit two (2) freestanding signs that identify both residential and nonresidential tenants within a mixed use project.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITION ON
PAGE 2.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The current sign standards of the Zoning Ordinance do not adequately address the needs of this project that, as a result of topographical conditions, lacks visibility from Hull Street Road.
- B. The Proffered Condition would restrict the size, number and location of such signs that are permitted by the Ordinance, but would allow flexibility in the copy on each sign to identify residential and nonresidential tenants.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITION

The property owners and applicant in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the property under consideration will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owners and applicant. In the event this request is denied or approved with conditions not agreed to by the owners and applicant, the proffers shall immediately be null and void and of no further force or effect.

(STAFF/CPC) Freestanding Signs. Under the terms of this CUPD, there shall be no more than two (2) freestanding signs identifying residential and nonresidential tenants and projects, and such signs shall not exceed one hundred (100) square feet in size or twenty (20) feet in height. The aforesaid signs shall be in lieu of the mixed use identification sign and nonresidential community sign that would otherwise be permitted under the zoning ordinance, but shall not affect other signage permitted under the zoning ordinance.

(NOTE: All other conditions of Case 87S134, as amended by Cases 00SN0280 and 02SN0283, shall remain in effect.)

GENERAL INFORMATION

Location:

South line of Hull Street Road, west of Commonwealth Centre Parkway. Tax IDs 732-674-3945; 732-675-1337 and 8246; 732-676-9406; 733-676-1943; 734-675-0754; 734-676-1227 and 735-675-1076 (Sheet 16).

Existing Zoning:

O-2 and C-3 with Conditional Use Planned Development

Size:

168.8 acres

Existing Land Use:

Commercial and Vacant

Adjacent Zoning and Land Use:

North -	C-2, C-4 with Conditional Use Planned Development, and A and R-7; Commercial, vacant or public/semi-public (water treatment plant)
South -	A, R-7 and R-9; Single family residential or vacant
East -	C-4 with Conditional Use Planned Development, I-1 with Conditional Use Planned Development and R-9; Multi-family residential or vacant
West -	A and R-7; Single family residential or vacant

UTILITIES, ENVIRONMENTAL AND PUBLIC FACILITIES

The requested amendment will have no impact on these facilities.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan which suggests the property is appropriate for regional mixed use.

Area Development Trends:

Properties to the north are zoned Neighborhood Commercial (C-2), Residential (R-7) and Agricultural (A) and Regional Business (C-4) and are developed for commercial and retail uses, public/semi-public uses (water treatment plant) or are vacant. Properties to the south are zoned Agricultural (A) and Residential (R-7 and R-9) and are occupied by single family dwellings or are vacant. Properties to the east are zoned Residential (R-9) and developed as apartments or zoned Regional Business (C-4), as part of the Commonwealth Center project, although currently vacant. Properties to the west are zoned Agricultural (A) and Residential (R-7) and are vacant or occupied by single family dwellings as part of the Mockingbird Hills Subdivision development. Commercial development is expected to continue adjacent to the intersection of Routes 360 and 288 with office, light industrial and high density residential uses along the periphery of this commercial core providing the transition to adjacent development.

Zoning History:

On November 25, 1987, the Board of Supervisors, upon favorable recommendation by the Commission, approved rezoning from Agricultural (A), Residential (R-12) and Office Business (O) to Office Business (O) and Community Business (B-2) with Conditional Use Planned Development on 191 acres located along the south line of Hull Street Road, east of its intersection with Route 288 (Case 87S137). A mixed use development to

include office, commercial, light industrial and multifamily residential uses was proposed. Condition 9 of this case required that signs comply with the Corridor Overlay District Standards, with the ability to erect two (2) additional freestanding signs for a regional shopping mall only.

On October 25, 2000, the Board of Supervisors, upon a favorable recommendation by the Commission, approved an amendment to Conditional Use Planned Development (Case 87S134) relative to the Textual Statement, tract designations, Master Plan, uses, internal road network and required conditions. The original sign condition of Case 87S134 was not affected by this amendment.

On August 28, 2002, the Board of Supervisors, upon a favorable recommendation by the Commission, approved an amendment to Conditional Use Planned Development (Case 87S134) relative to signs (Case 02SN0283). Specifically, this amendment allowed signage to comply with current Ordinance requirements.

Site Design:

The request property lies within an Emerging Growth Area. Development of the site must conform to the requirements of the Zoning Ordinance and conditions of Case 87S134, as amended by Cases 00SN0280 and 02SN0283, which address access, parking, landscaping, architectural treatment, setbacks, buffers, utilities and screening of dumpsters and loading areas.

Signs:

Signs for the site are currently regulated by Ordinance requirements. With respect to identification along Hull Street Road, the Ordinance currently permits one (1) mixed use sign of 100 square feet in area and twenty (20) feet in height to identify the name of the overall project as well as the names of the residential and nonresidential components of the project but not individual tenants. The Ordinance also permits a second freestanding nonresidential community sign of 100 square feet in area and twenty (20) feet in height identifying the name(s) of nonresidential tenants only.

The applicant has requested that, in lieu of the mixed use sign and the nonresidential sign, two (2) signs, each not exceeding 100 square feet in area and twenty (20) feet in height, be permitted on Hull Street Road to identify both residential and nonresidential tenants. At the time of sign permit review and approval, staff will allot the area permitted on each of the two (2) signs for each individual project within the larger project, based upon a pro rata share of the acreage occupied by the individual project of the larger project. For example, if the commercial project occupies fifty (50) percent of the overall project, staff will allow the commercial project fifty (50) percent of the overall square footage of each freestanding sign. As an alternate method, staff will allow a reallocation of sign area based upon agreements between property owners provided some signage is available for each category of uses (i.e., office, industrial, residential) and/or each residential project.

Development on the subject property is located above the road grade of Hull Street Road. This topographical change is unique to this development as it affords little to no visibility of store fronts and building-mounted signage for individual commercial tenant identification from this corridor. In addition, the residential portion of this project, which is located adjacent to Swift Creek, could potentially occupy as much as two-thirds (2/3) of this development's acreage without any visual exposure to Hull Street Road. This request would permit flexibility in the content of the two (2) permitted signs to provide adequate identification of both residential and nonresidential tenants along Hull Street Road without increasing the height, number or area limitations for these freestanding signs as established by the Ordinance. (Proffered Condition)

CONCLUSIONS

The regulations identified in the County Sign Ordinance are designed, in part, to promote maximum legibility of signs and to prevent their over-concentration as well as excessive height, bulk and area. These standards, however, do not adequately address the needs of this project that, as a result of topographical conditions, lacks visibility for its individual tenants from Hull Street Road. The Proffered Condition would restrict the size, number and location of such signs to that permitted by Ordinance but would permit the copy on each sign to identify residential and nonresidential tenants.

Given these considerations, approval of this request would be appropriate.

CASE HISTORY

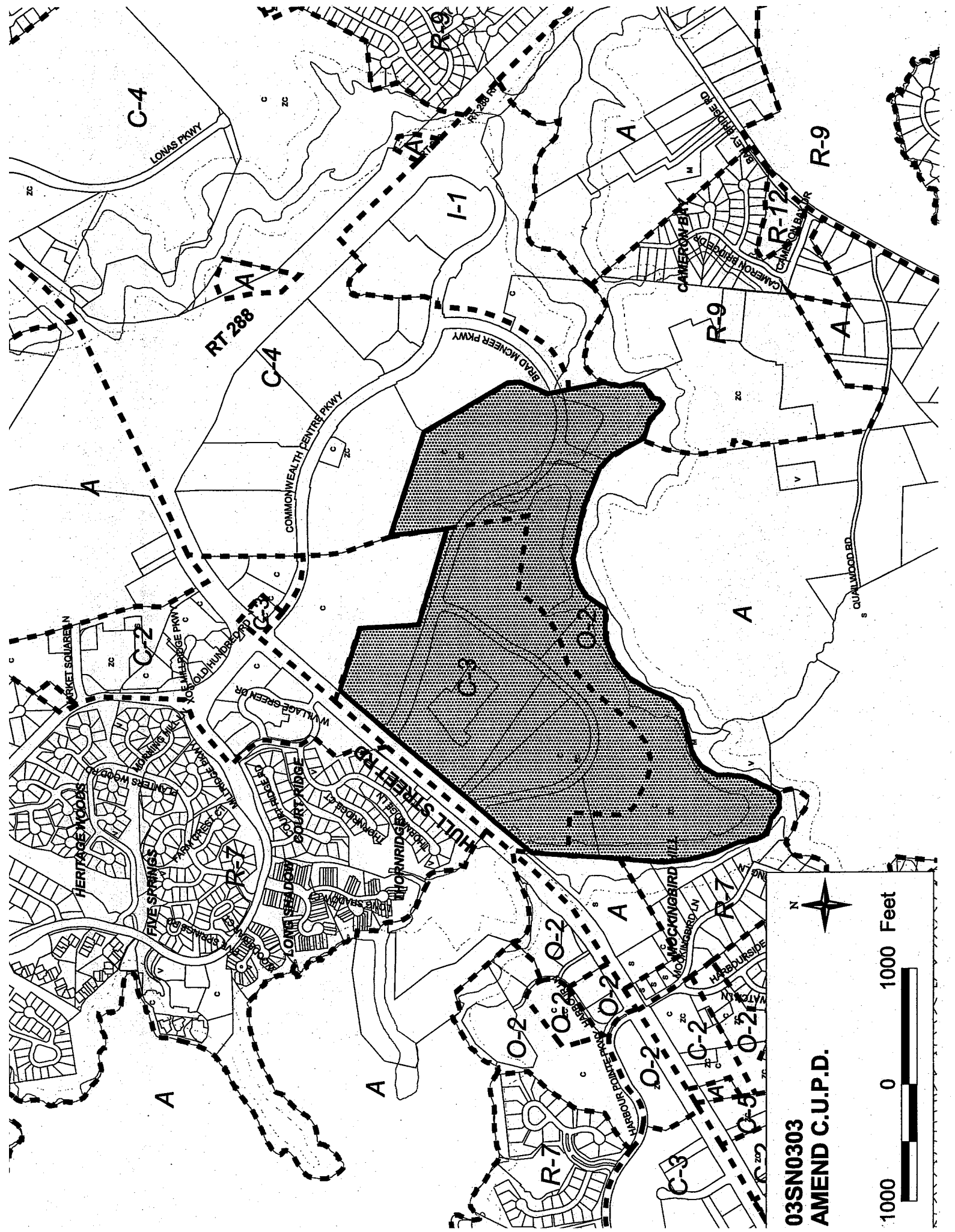
Planning Commission Meeting (8/19/03):

The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Stack, seconded by Mr. Cunningham, the Commission recommended approval of this request and acceptance of the Proffered Condition on page 2.

AYES: Unanimous.

The Board of Supervisors, on Wednesday, September 17, 2003, beginning at 7:00 p.m., will take under consideration this request.



03SN0303
AMEND C.U.P.D.

